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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/541,274

01/05/2006

Bernd Rommel

SCH-00114

7708

30853 7590 06/11/2007  
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EXAMINER
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LIVEDALEN, BRIAN J

ART UNIT	PAPER NUMBER
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2878

MAIL DATE	DELIVERY MODE
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06/11/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/541,274	ROMMEL, BERND	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brian J. Livedalen	2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 July 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/20/2005</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to because the electronics circuit board is improperly numbered 18 in fig. 1. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

Claim 11 recites the limitation "the mirror glass". There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Weller et al. (2004/0032675).

In regard to claim 1, Weller discloses (fig. 8) an interior rearview mirror for vehicles having a mirror housing (fig. 2, 10) in which is accommodated at least one electronics circuit board (230) for at least one sensor (242), the sensor being arranged in the detection region for signals arriving at the interior rearview mirror from outside (page 14, paragraph 0111), wherein the sensor is seated on a sensor circuit board (not shown, see fig. 7, 128), that is spatially separated from and connected by signals to the electronics circuit board (page 10, paragraph 0082, page 14, paragraph 0111).

In regard to claim 1, Weller discloses (fig. 14) an interior rearview mirror for vehicles having a mirror housing (500') in which is accommodated at least one electronics circuit board (530) for at least one sensor (558), the sensor being arranged in the detection region for signals arriving at the interior rearview mirror from outside (page 23, paragraph 0162), wherein the sensor is seated on a sensor circuit board

(533), that is spatially separated from and connected by signals to the electronics circuit board (page 24, paragraph 0165).

In regard to claim 2, Weller discloses (fig. 14) that the sensor circuit board is arranged in the region between an actuator drive (560) of the interior rearview mirror and a mirror glass (page 24, paragraph 0165).

In regard to claim 3, Weller discloses (fig. 14) that the sensor circuit board is attached at the edge of the mirror housing.

In regard to claim 4, Weller discloses (fig. 8) that the sensor circuit board and the electronics circuit board are connected to one another by at least one flexible line (226) (page 14, paragraph 0107).

In regard to claim 5, Weller discloses (fig. 8) that the flexible line is a conductive trace (226a) (page 14, paragraph 0107).

In regard to claim 6, Weller discloses (fig. 14) that the sensor circuit board is wirelessly (via 556a, 556b) connected by signals to the electronics circuit board (page 23, paragraph 0164).

In regard to claim 7, Weller discloses (fig. 8) that the sensor is accommodated in a receiving opening in the edge of the mirror housing.

In regard to claim 8, Weller discloses (fig. 8) that the sensor is centered on the edge of the mirror housing (page 6, paragraph 0061).

In regard to claim 9, Weller discloses (fig. 14) that the sensor is an EC headlight glare sensor (page 24, paragraph 0165).

In regard to claim 10, Weller discloses (fig. 14) that the mirror housing has a frame (514') and a cover (515) connected therewith.

In regard to claim 11, Weller discloses (fig. 14) that the mirror glass is an EC mirror glass (page 24, paragraph 0165).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Livedalen whose telephone number is (571) 272-2715. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/541,274

Art Unit: 2878

Page 6

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THANH X. LUU  
PRIMARY EXAMINER